

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WARREN MAYO,

Plaintiff,

v.

CHRIS SMITH and MICHAEL WELSH,

Defendants

No. 3:11-CV-00807

(JUDGE CAPUTO)

(MAGISTRATE JUDGE SMYSER)

ORDER

NOW this 24th day of May, 2012, upon review of Magistrate Judge Smyser's

Report and Recommendation (Doc. 32) for plain error or manifest injustice, **IT IS HEREBY**

ORDERED that:

- (1) The Report and Recommendation (Doc. 32) is **ADOPTED**.
- (2) This case shall be placed on the **October 2012** trial list. A pretrial scheduling order will follow.



A. Richard Caputo
United States District Judge